

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Terry BRADY, et al.

GROUP ART UNIT: 1743

DOCKET NO. 4000-102-30 CONT

JUN 18 2004

SERIAL NO: 09/927,701

EXAMINER: Maureen Wallenhorst

FILED: July 30, 2001

FOR: NOVEL METHOD OF PLATELET FUNCTION ANALYSIS USING PLATELET COUNT

**TERMINAL DISCLAIMER**

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Helena Laboratories Corporation is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment.

Helena Laboratories Corporation hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,410,337, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,410,337, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Helena Laboratories Corporation does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,410,337 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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Respectfully Submitted,

PIPER RUDNICK LLP



Jerold I. Schneider  
Registration No. 24,765  
Attorney of Record

6-17-04

Date Signed

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# FEE TRANSMITTAL

Docket No.	4000-102-30 CONT
Serial No.	09/927,701
Filing Date	July 30, 2001
Inventor(s)	Terry BRADY, et al.
Group Art Unit	1743
Examiner	Maureen Wallenhorst

**TOTAL AMOUNT OF PAYMENT** \$110.00

1. <input type="checkbox"/> Applicant claims small entity status. <input checked="" type="checkbox"/> Charge any <b>UNDERPAYMENT</b> or credit any <b>OVERPAYMENT</b> in the indicated fees to Deposit Account No. 50-1442. <input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.										<b>FEE CALCULATION (continued)</b>					
2. <input checked="" type="checkbox"/> Check enclosed.										<b>3. ADDITIONAL FEES</b>					
					Large Entity		Small Entity		Fee Description						
					Fee Code	Fee (\$)	Fee Code	Fee (\$)				Fee Paid			
<b>FEE CALCULATION</b>					1051	130	2051	65	Surcharge-late filing fee or oath						
<b>1. BASIC FILING FEE</b>					1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet						
Large Entity		Small Entity		Fee Description		1053	130	1053	130	Non-English Specification					
Fee Code	Fee (\$)	Fee Code	Fee (\$)			Fee Paid	1251	110	2251	55	1-mo. ext. of time				
1001	770	2001	385	Utility filing fee			1252	420	2252	210	2-mo. ext. of time				
1002	340	2002	170	Design filing fee			1253	950	2253	475	3-mo. ext. of time				
1003	520	2003	260	Plant filing fee			1254	1480	2254	740	4-mo. ext. of time				
1004	770	2004	385	Reissue filing fee			1255	2010	2255	1005	5-mo. ext. of time				
1005	160	2005	80	Provisional filing fee			1401	330	2401	165	Notice of Appeal				
<b>SUBTOTAL (1)</b>						\$0.00	1402	330	2402	165	Appeal Brief				
<b>2. EXTRA CLAIM FEES</b>							1403	290	2403	145	Request for Oral Hearing				
tot. claims		16	-	20*	= 0	x \$18 =	0	1501	1330	2501	665	Utility/Reissue Issue Fee			
ind. claims		1	-	3*	= 0	x \$86 =	0	1502	480	2502	240	Design Issue Fee			
<input type="checkbox"/>		Multiple Dependent Claims				\$290 =		1504	300	1504	300	Publication Fee			
Large Entity		Small Entity		Fee Description		8001	3	8001	3	Advance Copy of Patent					
Fee Code	Fee (\$)	Fee Code	Fee (\$)			1460	130	1460	130	Petitions to the Commissioner					
1202	18	2202	9	Claims in excess of 20		1806	180	1806	180	IDS Submission					
1201	86	2201	43	Independent claims in excess of 3		8021	40	8021	40	Assignment recordation					
1203	290	2203	145	Multiple dependent claim, if not paid		1801	770	2801	385	For Filing RCE					
1204	84	2204	43	*Reissue independent claims over original patent		1814	110	2814	55	Terminal Disclaimer		110.00			
1205	18	2205	9	*Reissue claims in excess of 20 and over original patent		OTHER (indicate below):									
<b>SUBTOTAL (2)</b>						\$0.00									
* or number previously paid, if greater; For Reissues, see above						<b>SUBTOTAL (3)</b>							\$110.00		

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